

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CASE NO.: 07CV6286 (GRD)

JUSTA C. MORALES, as personal  
representative of the ESTATE of  
GUSTAVO A. MORALES

Plaintiff,

v.

CITIGROUP, INC. f/k/a THE NATIONAL CITY  
BANK OF NEW YORK,

Defendant;

CITIGROUP, INC. f/k/a THE NATIONAL CITY  
BANK OF NEW YORK,

Counter-plaintiff,

v.

JUSTA C. MORALES, as personal  
representative of the ESTATE of  
GUSTAVO A. MORALES,  
JANE DOES 1 - X, and JOHN DOES 1 - X,

Counter-defendants.

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**DECLARATION OF REBECCA BEHR IN SUPPORT OF CITIGROUP, INC.  
AND CITIBANK, N.A.'S MOTION TO SERVE BY PUBLICATION**

I, Rebecca Behr, as an employee of Citibank Global Market, Inc., and holding the position of counsel hereby declare pursuant to 28 U.S.C. § 1746, as follows:

1. I have reviewed the Amended Complaint in the above-captioned matter, as well as Counter-plaintiffs Citigroup, Inc. and Citibank, N.A.'s Counterclaim, and Memorandum in Support of Motion to Serve by Publication the Counterclaim on Counter-defendants Jane Does I – X and John Does I – X. I make this declaration in support of Counter-plaintiffs Motion to Serve by Publication, and have personal knowledge of the facts stated herein.

2. Counter-plaintiff Citigroup, Inc. ("Citigroup") is a Delaware corporation, with its principal place of business in New York, New York. Citigroup is a holding company, and the parent of various affiliated entities.

3. Counter-plaintiff Citibank, N.A. ("Citibank") is a national banking association, with its principal place of business in New York, New York.<sup>1</sup>

4. The National City Bank of New York is the predecessor of the present-day Citibank.

5. Plaintiff has claimed sole legal entitlement to shares that were issued by Citibank in the 1930s to Jose Domingo Morales Morales, a Cuban national. Plaintiff has not provided Citi with legal documentation that would support her claims.

6. Citi has therefore filed a Counterclaim for Interpleader for a determination by the Court as to legal entitlement of the Citibank shares at issue, and has named as Counter-defendants Jane Does I-X and John Does I-X (the "Does"). The Does are the potential Cuban heirs of Jose Domingo Morales Morales, or others who may claim an interest in the shares owned by Jose Domingo Morales Morales, whose names are unknown to Citi.

I declare under penalty of perjury that the foregoing is true and correct.

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<sup>1</sup> For convenience, Citibank and Citigroup shall be collectively referred to herein as Citi.

Executed this 26 day of October 2007, in New York, New York.

  
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Rebecca Behr

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